

REMARKS

Reconsideration is requested.

Claims 1-12, 14 and 15 have been canceled, without prejudice.

Claims 13 and 16-36 are pending.

Claims 16 and 28-36 have been withdrawn from consideration.

The details of claim 15 have been added to claim 13. No new matter has been added.

The Section 112, second paragraph, rejection of claims 13-15 and 17-27 is believed to be obviated by the above amendments. Specifically, the applicants believe that the revision of the claims to not include olive oil obviated the Section 112, second paragraph, rejection. Withdrawal of the Section 112, second paragraph, rejection is requested.

The Section 103 rejection of claims 13-15 and 17-24 over Carson (U.S. Patent No. 5,416,075) in view of Arai (Nippon Kagaku Ryoho Gakkai Zasshi (1996), 44(10), pages 786-791, abstract), is traversed. The Section 103 rejection of claim 25 over Carson, Arai and Cullinan (U.S. Patent No. 5,439,923), is traversed. Reconsideration and withdrawal of the rejections are requested in view of the following distinguishing comments.

The applicants understand Carson to disclose emulsions containing oily phase, water phase and in which oil droplets carry amphipathic molecules wherein the hydrophilic part of the amphipathic molecule contains a moiety recognized by a microorganism and/or by a biological surface (col. 2, line 59-61). The olive oil is cited as component of the oily phase.

The applicants further understand the Examiner to believe that one of ordinary skill would allegedly find that the only differences between compositions of Carson and the compositions of the claimed invention are the mention of interfacial tension and disruption of the ecological balance among resident flora in the claims of the present application.

The applicants understand the abstract of the cited Arai document to disclose some experiments made in vitro on bacterial cultures of *Staphylococcus aureus*. The document is further understood by the applicants to cite olive oil and jojoba oil.

This document is understood by the applicants to show that purified camellia oil and olive oil in particular present a weak inhibitory activity against the bacteria studied.

The Examiner is understood to believe that one of ordinary skill will be taught by this document that, even weak, olive oil presents an inhibitory activity on bacteria, such as least *Staphylococcus aureus*.

The applicants believe that the above amended claims define over the cited art.

Moreover, the document of Arai is understood by the applicants to disclose that the compositions using these oils could be used for skin care products for skin affected by atopic dermatitis. The Examiner is urged to appreciate that atopic dermatitis is an inherited condition as opposed to a condition caused by a bacteria, like *S. aureus*.

The applicants submit that, contrary to the disclosure of the cited art, the presently claimed invention involves the use of fatty compounds to reduce the adhesion of microorganisms to the surface of the skin and/or the mucous membranes. The adhesion of bacteria to the surface of the mucous membranes is the focus of the claimed invention. The compositions according to the claimed invention act on

physicochemical properties of the surface of the skin and mucous membranes. These physicochemical properties involve electrodynamic interactions due to Van der Waals forces, Lewis-type acid-base interactions and electrostatic interactions.

The applicants believe the claims are patentable over the cited combination of art and withdrawal of the Section 103 rejection of claims 13-15 and 17-24 over Carson and Arai is requested.

With regard to claim 25, the applicants understand the additionally-cited Cullinan to teach that the microorganism responsible for acne is *Propionibacterium acnes*. The additional teaching of Cullinan however is not believed to cure the deficiencies noted above with regard to Carson and Arai.

Withdrawal of the Section 103 rejection of claim 25 is requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested.

The Examiner is requested to contact the undersigned in the event anything further is required.

Respectfully submitted,

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